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5 **UNITED STATES DISTRICT COURT**  
6 **WESTERN DISTRICT OF WASHINGTON**  
7 **AT SEATTLE**

8 JEFFREY BRAY,

9 Plaintiff,

10 v.

11 NARA PACIFIC ALASKA REGIONAL  
12 OFFICE,

13 Defendant.

NO. C11-994-RSM

ORDER OF DISMISSAL

14 The Court, having reviewed the Report and Recommendation of the Honorable James  
15 P. Donohue, the governing law, and the balance of the record, hereby ORDERS as follows:

- 16 (1) The Report and Recommendation is ADOPTED and APPROVED;  
17 (2) This action is DISMISSED without prejudice for failure to state a claim upon  
18 which relief may be granted;  
19 (3) Plaintiff's application to proceed *in forma pauperis* ("IFP"), Dkt. 1, is DENIED  
20 as moot; and  
21 (4) The Clerk of the Court is directed to send copies of this Order to plaintiff and to  
22 the Honorable James P. Donohue.

23 DATED this 2 day of August 2011.

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25 RICARDO S. MARTINEZ  
26 UNITED STATES DISTRICT JUDGE